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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/248,736	02/11/1999	TERRY MICHAEL BLEIZEFFER	ST998029	9147

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EXAMINER

PHAM, KHANH B

ART UNIT	PAPER NUMBER
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2177

24

DATE MAILED: 12/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/248,736

Applicant(s)

BLEIZEFFER ET AL.

Examiner

Khanh B. Pham

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-22,24-43 and 45-105 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 78-105 is/are allowed.
- 6) ☒ Claim(s) 1, 3-22, 24-43, 45-77 is/are rejected.
- 7) ☒ Claim(s) 1,3-22,24-43 and 45-77 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The amendment filed October 21, 2003 has been entered. Claims 1, 3, 5, 22, 24, 26, 43, 45, and 47 have been amended. Claims 2, 23, and 44 have been canceled.

Claim Objections

2. **Claims 1, 3-22, 24-43, 45-77 are objected to** because of the following informalities:

- Claim 1, line 2: "a original tree" should have read: "an original tree";
- Claim 22, line 4: "a original tree" should have read: "an original tree";
- Claim 43, line 3: "a original tree" should have read: "an original tree";
- Claim 64, line 2: "a original tree" should have read: "an original tree";

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. **Claims 1, 3-22, 24-43, 45-63 are rejected under 35 U.S.C. 112, first paragraph**, as failing to comply with the written description requirement. The claim(s)

Art Unit: 2177

contains subject matter which was **not** described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Independent claims 1, 22, and 43 contain the limitation: "**saving the filter and the specified selection criteria**", which was not described in the specification. In the remark section of Applicant's Amendment dated October 21, 2003, page 17, Applicant relied on Fig. 17 and page 14, lines 11-22 of the specification to support this limitation. However, Fig. 17 shows an user interface for defining a filter but does not provide any mechanism to save "the filter and the specified selection criteria" as claimed. The text portion at page 14, lines 11-22 recites: "The changes would have to be saved, for example, with the "save" action 1411, and the contents of the object which had been select 1607, may change as appropriate". However, this "save" action is for saving the tree objects (i.e., object 1607 is "All JONES Tables", see Fig. 16), not the filter. Applicant Specification, page 14, lines 1-4 also teaches: "Additionally, to **save a new customized tree** or changes to an existing customized **tree**, a user would select "Save" 1411 or "Save as" 1413 from the pull down menu, as illustrated in FIG. 14. The **tree** would then be **saved** as a file either on a user's workstation or on a server". Thus, the subject matter "saving the filter and the specified selection criteria" was not described in the specification. Claims **1, 3-22, 24-43, 45-63** are therefore rejected.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 3-22, 24-43, 45-63 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Robinson (US 5,842,218 A), hereinafter referred to as “Robinson”, and in view of Glasser et al. (US 5,956,715 A), and Contugno et al. (US 6,198,480 B1), hereinafter referred to as “Glasser” and “Contugno”, respectively.

As per claim 1, Robinson teaches a method of creating a customize tree in a computer from a original tree comprising:

- “Creating a filter in response to user input, wherein the filter specifies a selection criteria to select objects to be contained within a selected object on the customized tree” at Col. 3 line 60 to Col. 4 line 8 and Figs. 8 and 18B.
- “selecting one or more objects on the original tree to be contained in the customized tree in response to user input by applying the filter, wherein the one or more objects are located in disparate places across different branches of the original tree” at Col. 3 lines 34-54 and Figs. 11-16;

- “linking the selected objects from the disparate places to each other in the customized tree in a user-specified manner” at Col. 3 lines 34-54 and Figs. 11-16.

Robinson does not teach the step of: “saving the filter and the specified selection criteria”. However, Contugno teaches a similar method for defining a filter applied to a hierarchical tree structure including the step of: “saving the filter and the specified selection criteria” at Col. 47, lines 60-67. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was make to combine Robinson and Contugno’s teaching so that the filter can be reused later.

Robinson and Contugno do not teach the step of: “defining security restriction for accessing the selected objects using the customized tree”. However, Glasser teaches a method of defining security restriction for a portion of a hierarchical tree structure (Col. 2, lines 13-33 and Fig. 4) includes the step of: “defining security restriction for accessing the selected objects using the customized tree” at Col. 8, lines 10-40 and Figs. 5, 6B. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Robinson and Contugno’s method to include the step of “defining security restriction...” in order to allow user to change access permission to a portion of the tree structure; and, as indicated by Glasser, “provides a streamlined user interface that insulates the user from the complexities in making these change” and “perform access controls inheritance automatically. The user need not be concerned with distinctions between explicit and implicit access controls or the intricacies of the inheritance and propagation logic” (Col. 3 lines 15-20).

As per claim 3, Robinson, Contugno and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "the step of applying the filter further comprises the step of selecting objects from multiple parent objects" at Col. 3 lines 34-54 and Figs. 11-16.

As per claim 4, Robinson, Contugno and Glasser teach the method of claim 3 as discussed above. Robinson also teaches: "the multiple parent objects are contained on multiple platforms" at Col. 5 lines 40-50.

As per claim 5, Robinson, Contugno and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "if the objects to be selected by the filter change, the customized tree is automatically updated to reflect the changed objects" at Col. 9 lines 39-53.

As per claim 6, Robinson, Contugno and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "modifying the customized tree" at Col. 12 lines 25-45.

As per claim 7, Robinson, Contugno and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: "the step of modifying further comprises the step of adding an object to the customized tree" at Col. 12 lines 25-45.

As per claim 8, Robinson, Contugno and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: "the step of modifying further comprises the step of removing an object of the customized tree" at Col. 12 lines 25-45.

As per claim 9, Robinson, Contugno and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: “the step of modifying further comprises the step of copying an object into the customized tree” at Col. 12 lines 25-45.

As per claim 10, Robinson, Contugno and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: “the step of modifying further comprises the step of copying an object from a first position in the customized tree to a second position in the customized tree” at Col. 12 lines 25-45.

As per claim 11, Robinson, Contugno and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: “the step of modifying further comprises the step of removing the customized tree” at Col. 12 lines 35-45.

As per claim 12, Robinson, Contugno and Glasser teach the method of claim 6 as discussed above. Robinson also teaches: “the step of modifying further comprises the step of changing an object” at Col. 11 lines 23-49.

As per claim 13, Robinson, Contugno and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: “using the customized tree to simultaneously perform an action on multiple objects contained in the customized tree” at Col. 12 lines 34-46.

As per claim 14, Robinson, Contugno and Glasser teach the method of claim 6 as discussed above. Glasser also teaches: “restricting access to the customized tree” at Col. 8 lines 10-40.

As per claim 15, Robinson, Contugno and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "enabling customization of labels for objects in the customized tree" at Figs. 11-22.

As per claim 16, Robinson, Contugno and Glasser teach the method of claim 15 as discussed above. Robinson also teaches: "each label distinguishes between different objects of a similar type" at Figs. 11-22

As per claim 17, Robinson, Contugno and Glasser teach the method of claim 15 as discussed above. Robinson also teaches: "each label is an indicator of a filter" at Col. 10 lines 1-14.

As per claim 18, Robinson, Contugno and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "providing graphical user interfaces for creating the customized tree and wherein the user input is received from one or more graphical user interfaces" at Col. 6 lines 30-40 and Figs. 11-22.

As per claim 19, Robinson, Contugno and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "the customized tree contains a subset of the objects of the original tree" at Figs. 13-16.

As per claim 20, Robinson, Contugno and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "the objects of the customized tree are organized in a user-specified manner" at Col. 3 lines 35-55.

As per claim 21, Robinson, Contugno and Glasser teach the method of claim 1 as discussed above. Robinson also teaches: "creating multiple customized trees" at Fig. 14.

Art Unit: 2177

Claims 22, 24-43, 45-63 recite an apparatus and an article of manufacture having similar limitation as in claims 1- 21. Therefore, claims 22, 24-43, 45-63 are rejected by the same rational.

Allowable Subject Matter

3. **Claims 78-105 are allowed.**

Claims 64-77 are objected to as contains minor informality but would be allowed if the informality were corrected.

The following is a statement of reasons for the indication of allowable subject matter: prior art of record does not teach or suggest the combination of claimed elements including: "creating a filter for the selected object in response to user input, wherein the filter comprises user specified filter criteria, a user specified comparator operator, and a user-specified comparison value, wherein the user-specified comparator specifies how the user-specified filter criteria is compared with the user-specified comparison value, to determine objects to be contained within the selected object on the customized tree" as recited in the independent claims 64, 78, and 92.

Thus, prior art of record neither renders obvious nor anticipates the combination of claimed elements in light of the specification.

Response to Arguments

5. Applicant's arguments filed October 21, 2003 have been fully considered but they are not persuasive. The Examiner respectfully traverses applicant's arguments.

Applicant argued that Robinson does not teach the limitation: "creating a filter in response to user input, wherein the filter specifies a selection criteria to select object to be contained within a selected object on the customized tree". On the contrary, Robinson teaches this limitation at Fig. 18B reproduced below:

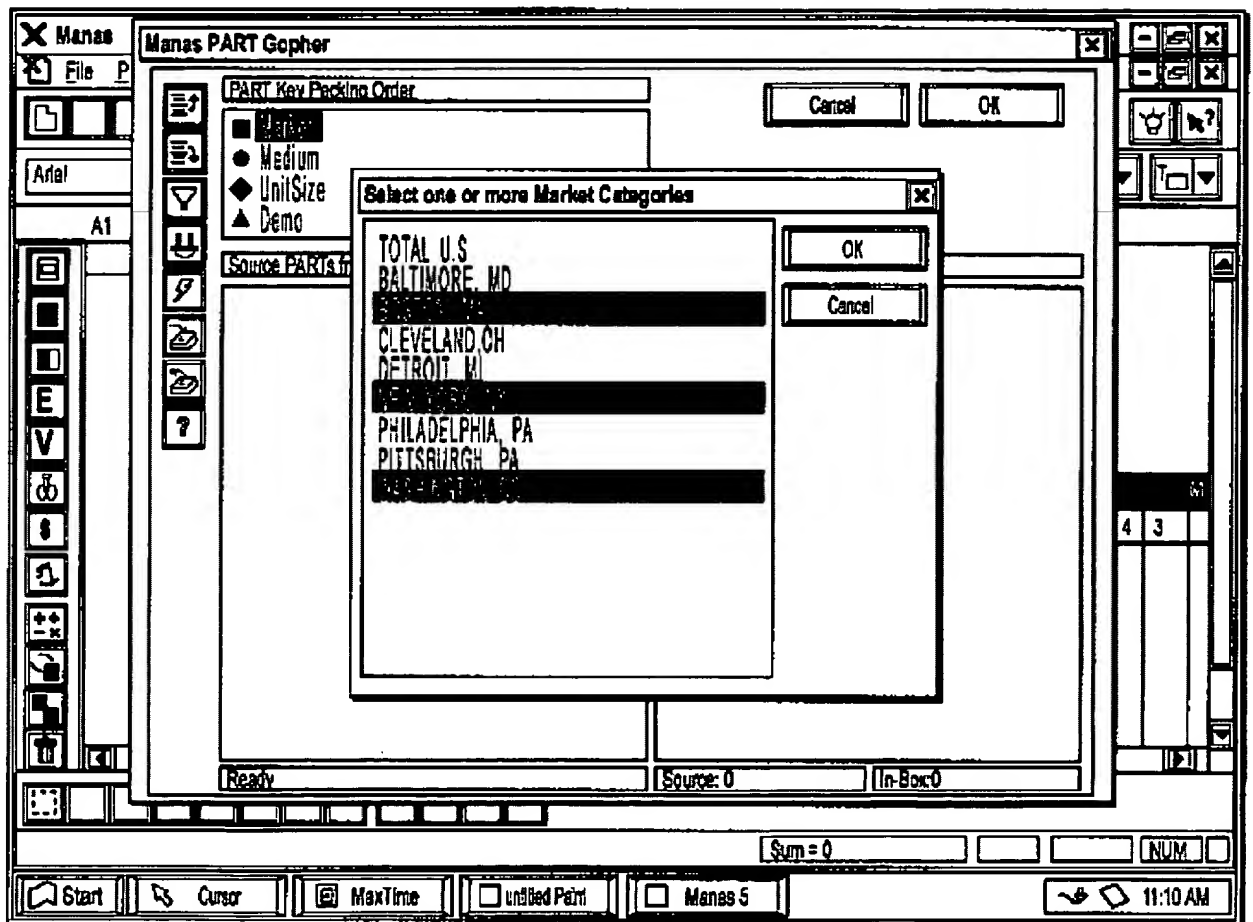


FIG. 18B

Art Unit: 2177

In Fig. 18B, Robinson teaches the step of creating a filter in response to user input, wherein only the category selected by the user (i.e., "Boston, MA", "New York, NY", and "Washington, DC") are included in the customized tree (See Fig. 8 reproduced below)

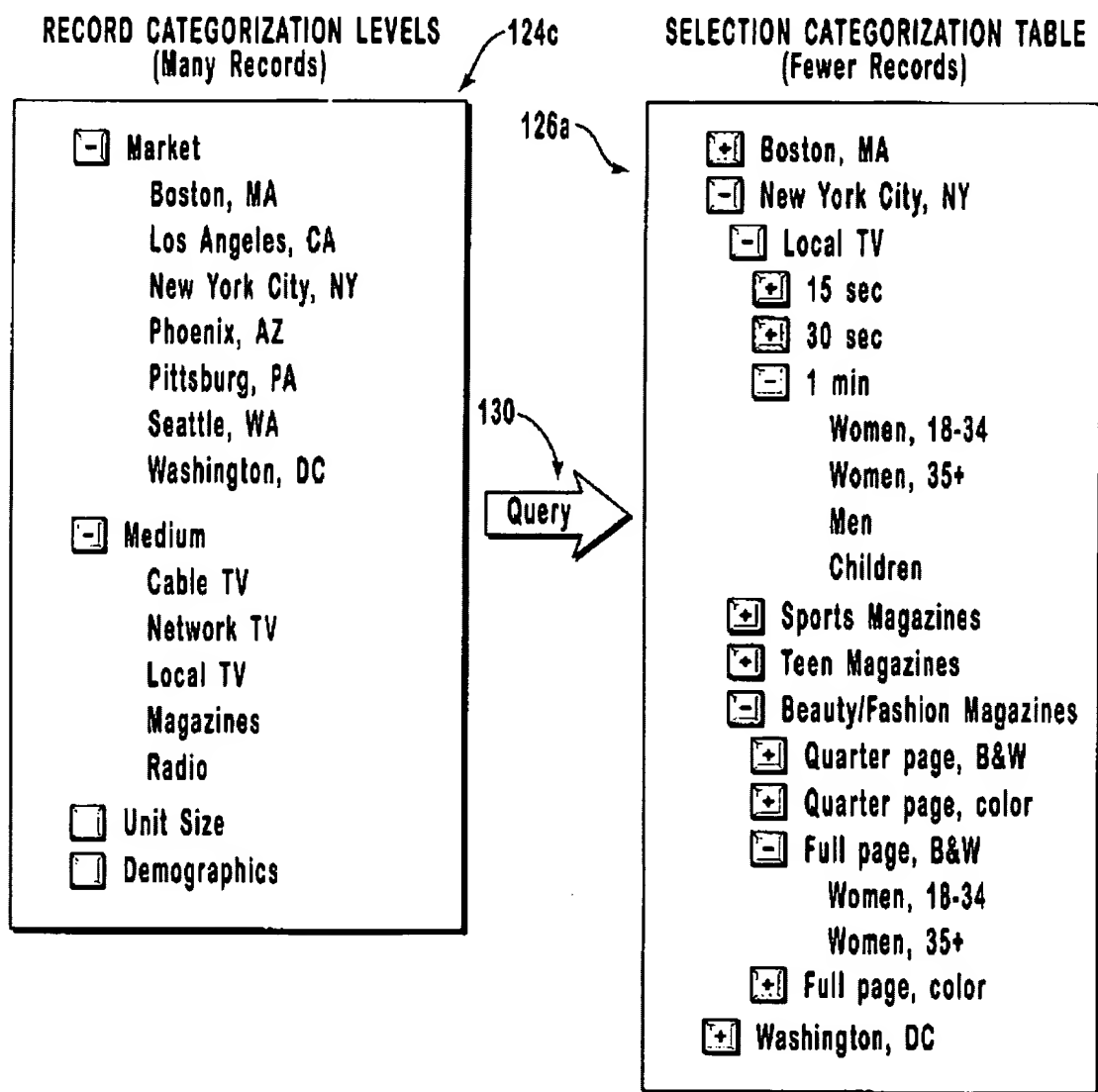


FIG. 8

This step is similar to applicant step described at Fig. 17, in which columns of the tables are selected to be included in the customized tree based on their value.

6. Applicant's argument regarding the limitation: "saving the filter and the specified selection criteria" has been considered but are moot in view of the new ground(s) of rejection. See also Section 4 of this Office Action regarding the rejection under **35 U.S.C. 112, first paragraph**.

In light of the foregoing arguments, the 35 U.S.C 103 rejection is hereby sustained.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-7299. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)746-7240.

Khanh B. Pham
Examiner
Art Unit 2177

KBP
November 25, 2003

JEAN R. HOMERE
PRIMARY EXAMINER